



Australian Government

National Indigenous Australians Agency

Indigenous Advancement Strategy (IAS)

New Jobs Program Trial Grant Opportunity Guidelines

Opening date:	18/09/2023
Closing date and time:	15:00 pm AEDT on 30/10/2024 or earlier if the Trial is fully allocated. Note: The National Indigenous Australians Agency (the NIAA or the Agency) may amend the closing date and time at its own discretion by issuing a notice through the GrantConnect website.
Commonwealth policy entity:	NIAA
Enquiries:	If you have any questions, contact your NIAA Regional Office (listed at https://www.niaa.gov.au/contact-us/regional-network-addresses) or if applicable contact National Office (refer to https://www.niaa.gov.au/who-we-are/contact-us).
Date Guidelines released:	18/09/2023
Type of grant opportunity:	Open (non-competitive)

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1. IAS: New Jobs Program Trial processes

The IAS is designed to achieve Australian Government objectives

This grant opportunity is part of the above grant program which contributes to NIAA's Outcome 1.1.

The NIAA works with stakeholders to plan and design the grant program in accordance with the [Commonwealth Grants Rules and Guidelines \(CGRGs\)](#).



The grant opportunity opens

We publish the grant guidelines on [GrantConnect](#) ↓

Register your interest and discuss your proposal before you complete and submit the application form

You must register your interest with the local NIAA Regional Office and discuss your proposal before you apply. NIAA consultation record/s from the information sessions will be available to you, refer to Appendix 4.

Your local NIAA Regional Office will provide curated support as you prepare your application. You can then complete application form and address all of the eligibility and assessment criteria to be considered for a grant, and submit the application form.



We assess all grant applications

We assess all applications against eligibility criteria and notify you if you are not eligible. We then assess eligible applications against the assessment criteria including an overall consideration of value with money.



We make grant recommendations

We provide advice to the Minister for Indigenous Australians and/or the NIAA delegate (the decision maker) on the merits of each eligible application.



Grant decisions are made

The decision maker decides which applications are successful and approves the level of funding to be provided.



We notify you of the outcome

We advise you of the outcome of your application.



We negotiate and enter into a Grant Agreement

We will enter into a Grant Agreement with you if successful. The type of Grant Agreement is based on the nature of the grant and will be proportional to the risks involved.



Delivery of grant

You undertake the grant activity as set out in your Grant Agreement. We manage the grant by working with you, monitoring your progress and making payments.



Evaluation

We may evaluate your specific grant activity and the broader New Jobs Program Trial as a whole. We base this on information you provide to us and that we collect from various sources.

1.1 Introduction

These guidelines contain information about the Indigenous Advancement Strategy (IAS) grant opportunity, including how to apply for grant funding.

You must read these guidelines before filling out an application.

This document sets out:

- the purpose of the New Jobs Program Trial grant opportunity
- the eligibility and assessment criteria
- how grant applications are considered and selected
- how grantees are notified and receive grant payments
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the grant opportunity.

Any alterations and addenda¹ to these guidelines will be published on [GrantConnect](#).

2. About the New Jobs Program Trial

This grant opportunity is available under Program 1.1 – Jobs, Land and Economy of the IAS. The objectives and outcomes of Program 1.1 are available at Appendix 1. The IAS is one way the Australian Government funds and delivers programs for First Nations people. Visit [our website](#) for more information on the IAS. The NIAA administers the IAS according to the Commonwealth Grants Rules and Guidelines (CGRGs).

The New Jobs Program Trial (Trial) grant opportunity is a part of the Government's phased approach towards replacing the Community Development Program (CDP), working in partnership with First Nations people. This grant opportunity will provide grant funding to community organisations or local government in targeted CDP regions, to cover wages at the minimum wage rate to support CDP participants to move into jobs that support community priorities. The Trial will provide the opportunity for community organisations or local government to develop and test local approaches to jobs and support some CDP Participants of working age to move off the income support system into paid employment.

The Trial of up to 200 jobs could potentially expand, including to incorporate key learnings and additional sites and jobs.

The Trial will support increased economic opportunities for CDP participants in remote Australia, including First Nations people, through connecting CDP participants to local jobs. It will also test what support / programs / innovations will be needed to enable some CDP participants to move off income support.

The key features of the New Jobs Program Trial are:

- It will initially target the following CDP regions and the CDP regions falling in the Enhanced Income Management regions, with possible expansion:
 - Goldfields/Kambalda/Norseman Region, WA (CDP region 2)
 - Goldfields/Ngaanyatjarra Lands, WA (CDP region 3)
 - Goldfields/Yaaliku Region, WA (CDP region 4)
 - Mid-West - West Region, WA (CDP region 5)
 - East Kimberley/East Kimberley Region, WA (CDP region 15)

¹ Alterations and addenda include but are not limited to: corrections to currently published documents, changes to closing times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents.

- Eyre Region/Eyre Region, SA (CDP region 16)
- Ceduna and surrounds/Far West Region, SA (CDP region 17)
- Northern Territory/Town Camps and surrounds of Alice Springs, NT (CDP regions 20,21,22,23,24,25 and 27)
- Northern Territory/South East Barkly Region and North Barkly Region, NT (CDP regions 26 and 28)
- Palm Island/Palm Island Region, QLD (CDP region 50).
- The number of jobs in each region will be based on demonstrated need. Regional allocations may be considered.
- Community organisations or local government can apply for grant funding for jobs that are identified in community and may:
 - provide better pathways to jobs in remote communities
 - support community priorities and economic development
 - recognise and engage youth, women and other vulnerable groups. The Trials may support the development of new approaches to leadership and jobs which complement caring and cultural responsibilities.
- Job/s must be filled by current CDP participant/s of the minimum working age.
- Where a job/s are less than 30 hours per week, the benefits of this to individuals and/or communities should be clearly articulated.
- It will cover wages at the minimum wage rate, superannuation, leave entitlements, insurance, workers compensation, HR and administration funding, costs such as: reasonable training for a CDP participant to do the job, or CDP participant travel costs, costs for implementing and monitoring CDP participants in the job/s, office equipment or office supplies.
- It will cover the hire of plant and equipment including motor vehicles (if necessary) to be used by CDP participants in their employment. You are also able to acquire consumable building materials for minor upgrades to community facilities to address immediate local need that has community support. This expenditure item/s must be discussed with the NIAA Regional Office.
- Additional payment to cover the difference between the national minimum wage and the award wage will be the responsibility of the participant's employer.
 - The 'minimum wage' will be set by the relevant industrial instrument such as a modern award, which may be higher than the national minimum wage, depending on the work performed by the participant. *Determining the appropriate rates of pay will be the employer's responsibility.*
- Current jobs that attract government funding from the state / territory or the Commonwealth will not be funded under the New Jobs Program Trial.

The IAS contributes to Closing the Gap (CtG) between First Nations people and non-Indigenous Australians by providing grant funding for activities that address areas of need for First Nations people that align with CtG targets. The National Agreement on CtG was developed in genuine partnership between Australian Governments and Aboriginal and Torres Strait Islander peak organisations. The National Agreement sets out ambitious targets and new Priority Reforms that will change the way governments work to improve life outcomes experienced by Indigenous Australians. For more information about the CtG, see [our website](#). This grant opportunity contributes to the following CtG targets:

- strong economic participation and development of people and their communities
- youth are engaged in employment or education.

This grant opportunity also contributes to the National Agreement on CtG Priority Reform Two – Building the Community-controlled Sector, through applying the NIAA Indigenous Preferencing Policy in section 8.2 [below](#).

This grant opportunity will contribute to these targets by achieving the following objectives, which align with the IAS Program 1.1 - Jobs, Land and Economy program by providing:

- community organisations or local government, with the opportunity to trial approaches to support local employment and economic development
- employment pathways that will assist some CDP participants to move off Income Support.

The intended outcomes of the grant opportunity are:

- learnings and evidence will support the development of new approaches to investment through a remote jobs program that will replace CDP
- community organisations or local government, in targeted regions, test local approaches that support CDP Participants in jobs that achieve outcomes for community
- testing what works to support CDP Participants to reduce reliance on the income support system through paid employment.

3. Grant amount and grant period

3.1 Grants available

For this grant opportunity up to \$22.7 million (GST exclusive) is allocated to the IAS over 15 months.

There is no maximum grant amount available to applicants. The NIAA will consider whether the grant applications achieves value with relevant money and availability of funds to meet priorities in offering a grant amount. Information on previous grants awarded is available on the [GrantConnect](#) website.

3.2 Grant period

The NIAA will start accepting applications for the New Jobs Program Trial from 18 September 2023 until 30 October 2024 15:00pm AEDT or earlier if the Trial is fully allocated. The NIAA may amend the closing date and time at its own discretion by issuing a notice through the [GrantConnect](#) website.

4. Eligibility criteria

The NIAA cannot consider applications that do not satisfy all the eligibility criteria.

4.1 Funding eligibility

Where a job/s are less than 30 hours per week, the benefits of this to individuals and/or communities should be clearly articulated to be eligible for funding.

To be eligible you must:

- be a community organisation or local government
- deliver services and support employment outcomes for CDP Participants who are located in at least one of the following targeted locations
 - Goldfields/Kambalda/Norseman Region, WA (CDP region 2)
 - Goldfields/Ngaanyatjarra Lands, WA (CDP region 3)
 - Goldfields/Yaaliku Region, WA (CDP region 4)
 - Mid-West - West Region, WA (CDP region 5)
 - East Kimberley/East Kimberley Region, WA (CDP region 15)
 - Eyre Region/Eyre Region, SA (CDP region 16)
 - Ceduna and surrounds/Far West Region, SA (CDP region 17)
 - Northern Territory/Town Camps and surrounds of Alice Springs (CDP regions 20, 21, 22, 23, 24, 25 and 27)
 - Northern Territory/South East Barkly Region and North Barkly Region, NT (CDP regions 26 and 28)
 - Palm Island/Palm Island Region, QLD (CDP region 50).
- have an Australian Business Number (ABN) (exemptions may apply in special cases)
- where applicable, be registered for the purposes of GST
- have an account with an Australian financial institution
- be compliant with the relevant Commonwealth and state/territory legislation, including but not limited to workplace health and safety and workplace equality legislation
- have rectified any issues of previous non-compliance with existing Commonwealth agreements to the satisfaction of the Commonwealth, or be in the process of rectifying any issues of non-compliance with existing Commonwealth agreements to the satisfaction of the Commonwealth
- be financially viable, to the NIAA's satisfaction. The application form has questions about financial viability. The NIAA may undertake its own enquiries in relation to the applicant's financial viability.
- register your interest with the local NIAA Regional Office to receive information on how to complete your application. This can be done via phone, email or face to face.

AND be one of the following entity types:

- an Aboriginal and/or Torres Strait Islander Corporation registered under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#)
- a company incorporated in Australia under the [Corporations Act 2001](#)
- an incorporated association (incorporated under state/territory legislation, commonly have 'Association' or 'Incorporated' or 'Inc' in their legal name)
- an incorporated cooperative
- a joint (consortia) application with a lead organisation that satisfies an entity type in this list
- an incorporated trustee on behalf of a trust²
- an Australian local government body (applications will be preferenced where an Australian local government body works in collaboration with a community organisation)
- a partnership.

² A trust itself is not a legal entity and cannot enter into a grant agreement.

4.2 Who is not eligible to apply for a grant?

You are not eligible to apply if you are:

- an organisation, or your project partner is an organisation, included on the [National Redress Scheme's](#) website on the list of 'Institutions that have not joined or signified their intent to join the Scheme
- an organisation established through Commonwealth or state/territory legislation including public benevolent institutions, churches and universities
- an Australian state or territory government body
- a non-corporate Commonwealth entity
- an unincorporated association
- an organisation or individual not listed in section 4.1
- declared bankrupt or subject to insolvency proceedings—as relevant to the entity type
- named as currently non-compliant under the [Workplace Gender Equality Act 2012](#).

4.3 What qualifications, skills or checks are required?

All applicants must be able to demonstrate that they intend to comply with all applicable laws if their application is successful. This includes:

- maintaining all qualifications, permits, registrations and licences required for the lawful performance of the activity or service they will provide
- Where relevant, mandatory requirements including (but not limited to):
 - Working with Children checks and/or Working with Vulnerable People registration (as required by the jurisdiction in which the activity will take place)
 - Industry licenses or registration
 - Australian Skills Quality Authority accreditation.

All applicants must ensure there is adequate supervision when CDP participants are performing tasks, taking into account the level of experience of the employee, safety risks and cultural working environment.

4.4 Incorporation requirements

Subject to certain exceptions, under the Strengthening Organisational Governance Policy, all organisations that receive grant funding totalling \$500,000 or more (GST exclusive) in any single financial year from IAS funding are required to:

- incorporate under Commonwealth legislation—Indigenous organisations will be required to incorporate under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) and other organisations will be required to incorporate under the [Corporations Act 2001](#)
- maintain these arrangements while they continue to receive any IAS funding
First Nations organisations already incorporated under the [Corporations Act 2001](#) do not have to change their incorporation status. However, all other First Nations organisations must be incorporated under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) so they can access the assistance and support available under the Act.

For further information on incorporation requirements please refer to Appendix 2.

5. What the grant money can be used for

5.1 Eligible grant activities

The grant funding must be used consistently with the objectives of the Trial as outlined in section 2.

Given the changing and variable impacts of COVID-19 across Australia, activities must be delivered in alignment with relevant government and health advice to limit the risk of transmission of COVID-19, particularly with respect to protecting Elders and those with chronic health issues.

Before commencing an activity, it is your responsibility to develop a COVID-19 Risk Management Plan. The Risk Management Plan should include any potential risks associated with the delivery of an activity, and identify the strategies that you will put in place to minimise those risks. Upon request, you may be required to provide evidence to the NIAA that you have a COVID-19 Risk Management Plan in place.

Where possible and relevant, your proposed grant opportunity should take into account:

- The cultural and linguistic needs of First Nations people and others whose first language is not English, and be mindful of the Commonwealth Ombudsman's Best Practice Principles for interpreting. [Use of Interpreters - Commonwealth Ombudsman](#)
- The needs of Australians with disability including how the proposal supports one or more of the six policy outcome areas outlined in the Department of Social Services [National Disability Strategy 2010-2020](#).
- Differing barriers and opportunities experienced by subsets of the target community, including First Nations men, women and youth and the impact these might have on access to funded activities—this could include articulating the specific ways delivery of the activity will address barriers to participation for different groups. For example, how the activity will support gender equitable outcomes in the community.

5.2 Eligible locations

Your grant opportunity must be delivered in one or more of the following targeted remote community locations:

- Goldfields/Kambalda/Norseman Region, WA (CDP region 2)
- Goldfields/Ngaanyatjarra Lands, WA (CDP region 3)
- Goldfields/Yaaliku Region, WA (CDP region 4)
- Mid-West - West Region, WA (CDP region 5)
- East Kimberley/East Kimberley Region, WA (CDP region 15)
- Eyre Region/Eyre Region, SA (CDP region 16)
- Ceduna and surrounds/Far West Region, SA (CDP region 17)
- Northern Territory/Town Camps and surrounds of Alice Springs (CDP regions 20,21,22,23,24,25 and 27)
- Northern Territory/South East Barkly Region and North Barkly Region, NT (CDP regions 26 and 28)
- Palm Island/Palm Island Region, QLD (CDP region 50).

Please note these eligible locations might be adapted over time. Any changes will be published on GrantConnect.

Your employment related grant funding must be used in the eligible location/s.

5.3 Eligible expenditure

You can only spend the grant funding on eligible grant activities as defined in your grant agreement, unless we otherwise agree in writing to an alternative use.

Eligible expenditure items are:

- wage subsidy, superannuation, insurance, workers compensation, leave entitlements, HR and administrative running costs related to placing and maintaining a CDP participant into a job, reasonable training for a CDP participant to do the job, or CDP participant travel costs, and costs for implementing and monitoring CDP participants in the job/s
- office equipment or office supplies
- the hire of plant and equipment, including motor vehicles (if necessary) to be used by CDP participants in their employment
- consumable building materials for minor upgrades to community facilities to address immediate local need that has community support. This expenditure item must be discussed with the NIAA Regional Office

If your application is successful, we may ask you to verify project costs that you provided in your application. You may need to provide evidence such as quotes or invoices for costs

Not all expenditure on your grant opportunity may be eligible for grant funding. The Program Delegate makes the final decision on what is eligible expenditure, in accordance with these Grant Opportunity Guidelines (GOGs), and the NIAA may give additional guidance on eligible expenditure if required

We may update the guidelines on eligible and ineligible expenditure from time to time. If your application is successful, the version in place when you submitted your application applies to your grant activity.

Unless otherwise agreed in writing by the Commonwealth, you must incur the expenditure between the dates specified in your grant agreement for it to be eligible for funding.

5.4 What the grant money cannot be used for

Grant funding cannot be used for a purpose that does not directly contribute to the outcomes of the grant activity. You cannot use the grant for:

- activities that do not clearly align to the identified outcomes of the Trial
- purposes that do not directly contribute to the outcomes of the activity, typically including (but not limited to) payment of fines or loans, purchase of gifts, personal debts, or sitting fees
- costs incurred in the preparation of a grant application or related documentation unless specifically agreed with the NIAA
- activities for which other Commonwealth, state, territory or local government bodies have primary responsibility
- expenses for which other Commonwealth, state, territory or local government bodies have primary responsibility to provide the source of funding, unless otherwise specifically agreed with the NIAA
- purchase of land
- retrospective costs (i.e. costs incurred before the date of the agreement)
- a CDP participant's rent or household bills

- overseas travel
- an organisation's existing employees' administrative and/or miscellaneous costs not involved in grant activities.

The jobs you receive grant funding for must not be:

- a religious occupation
- a currently existing job that is vacant
- a job that displaces an existing employee
- commission based
- self-employment or a subcontracted position
- subsidised or funded under any other Commonwealth or government program
- a job that is likely to bring the Trial, the NIAA or the Commonwealth into disrepute
- unsafe or carry an unsatisfactory level of risk to the health and safety of the CDP participant.

6. The assessment criteria

You must address all of the following assessment criteria in your application.

All criterion have equal weighting under these GOGs.

The amount of detail and supporting evidence you provide in your application should be relative to the size, complexity and grant amount requested. The application form includes word limits.

Criterion 1: Placement of CDP Participant/s into a community job

You should demonstrate how you will:

- encourage broad community understanding and ownership of your proposal/s to increase job opportunities that support community needs and priorities.
- support the CDP participant, and their CDP Provider to identify suitable applicants for the job and ensure there will be tailored pre- and post-placement support.

Criterion 2: Cultural competence

You should demonstrate this by explaining how:

- you will deliver quality, culturally competent services for the target community/ies or groups tailored around understanding of their needs
- you and your partners will embed cultural safety, diversity and trauma-informed service delivery for youth, women and other vulnerable groups in the Trial.

Criterion 3: Organisation Capability

You should demonstrate this by explaining how:

- you will build partnerships and collaborate with key stakeholders, which may include local government, to deliver outcomes
- you will contribute to a broader understanding of the Trial and the design of a new remote jobs program.

Criterion 4: Delivering Outcomes

You should demonstrate this by providing details on how:

- you will adapt the project based on learnings to improve outcomes, including sustaining employment opportunities beyond the end of the Trial
- you will provide value with relevant money taking into consideration the location/s, the proposed budget, the planned number of CDP participants, and the level of support you will provide to CDP participants. This includes costs associated with implementation and monitoring of the CDP participants' job placements.

7. How to Apply

The grant process is open non-competitive, which means your application will be considered on its merits (without comparing it to other applications).

It is important to note that any discussion you have with the NIAA about a grant activity or the lodgement of an application **does not guarantee that your activity will be funded.**

Before applying, you must:

- read and understand these GOGs and the application form
- register your interest by contacting the local NIAA Regional Office to receive information on how to complete your application. This can be done via phone, email or face to face.

Your local NIAA Regional Office will provide curated support to you as you prepare your application. This may involve discussing the GOGs and supporting documents with you, and providing feedback on how you can submit the best application possible. However, the local NIAA Regional Office cannot write your application for you, and no feedback that the NIAA Regional Office provides to you should be interpreted as the NIAA endorsing or approving your application. This is because the NIAA Regional Office team that provides support to you is entirely separate from the NIAA team that will assess your application.

The GOGs may be found at [GrantConnect](#). Any alterations and addenda³ will be published on [GrantConnect](#) and by registering on the [GrantConnect](#) website, you will be automatically notified of any changes. [GrantConnect](#) is the authoritative source for grants information.

To apply you must:

- complete the online application form on [GrantConnect](#)
- address all eligibility criteria and assessment criteria
- include all necessary attachments

A checklist is available in Appendix 3 to assist you with making sure that your application is complete.

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code 1995](#) and we will investigate any potentially false or misleading information and may exclude your application from further consideration.

If you find an error in your application after submitting it, you should contact the NIAA Assessment Management Office immediately at IASAMO@niaa.gov.au. Please note that we do not have to accept any additional information, nor requests from you to correct your application after the closing date and time.

You cannot change your application after the closing date and time.

If we find an error or information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time.

You should keep a copy of your application and any supporting documents.

You will receive an electronic Application ID Number once you submit your application.

We will acknowledge that we have received your application within two to three working days after its submission.

If you need further guidance around the application process or if you are unable to submit an application online please contact your local [NIAA Regional Office](#).

³ Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents

7.1 Attachments to the application

To be eligible to apply, we require the following documents with your application:

- evidence of bank account details, such as a copy of a current bank statement
- using the Budget Template at Attachment A, an itemised indicative budget that is GST exclusive for each financial year the project will operate, which must include:
 - number of jobs
 - name of the organisation, including host arrangements
 - job title/s and key duties
 - location of the job/s
 - supervision arrangements
 - nature of the jobs, i.e. full time, part time or casual, and expected hours of work per week per job
 - relevant award, rate per hour per job
 - superannuation, insurance, workers compensation, leave entitlements, HR and administrative running costs related to placing and maintaining a CDP participant into a job, reasonable training for a CDP participant to do the job, or CDP participant travel costs, and costs for implementing and monitoring participants in the job/s
 - office equipment or office supplies
 - the hire of plant and equipment
 - consumable building materials
 - total funding being requested.
- details of funding from other sources that will contribute to the costs of the activity outlined in the application, including confirmation of whether the funding is approved
- details of any pending applications for funding, including the nature of the support, i.e. funding contribution, in kind support, resources and expertise
- a document containing:
 - list of key personnel of the organisation—include Director/s, Chief Executive Officer, Chief Financial Officer and Chief Operating Officer. This should include names and position titles;
 - organisation chart for your organisation; and
 - if applicable, a chart of associated entities as defined by s50AAA of the [Corporations Act 2001](#), showing all relationships between companies, including levels of ownership and control
- if you have not had a grant agreement with the NIAA or with the Department of the Prime Minister and Cabinet (PM&C), you must provide the following documentation:
 - copy of your most recent financial statements, income and expenditure statement, or a balance sheet to inform your Organisation Risk Profile (ORP)⁴
 - copy of your Certificate of Incorporation where relevant (Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement)
 - copy of a completed ATO 'Statement by a supplier (reason for not quoting an ABN to an enterprise)' form if you are not able to quote an ABN.
- evidence of support from your organisation's board, CEO or equivalent, and the community/ies where you propose to deliver this activity

⁴ The ORP and the Activity Risk Assessment (ARA) help to determine the level of controls applied to your grant agreement, noting that if your ARA is high or extreme, an annual audited expenditure report will be a standard requirement under your grant agreement. For further information, please refer to section 10.8.

- risk management plan.

Please note the size limit for each application is 10MB. There is also a 2MB size limit for each attachment. The NIAA's information technology system is not capable of receiving applications that exceed 10MB and any applications above this limit will not be received.

7.2 Joint (consortia) applications

We recognise that some organisations may want to join together as a group to deliver the grant opportunity. This may include community organisations working in collaboration with local government or councils.

In these circumstances, you must appoint a 'lead organisation'. Only the lead organisation can submit the application form and enter into a grant agreement with the Commonwealth. The application must identify all other members (i.e. partner organisations) of the proposed group (and include a letter of support from each of the partners).

Each letter of support should include:

- details of each partner organisation (including the percentages of Indigenous ownership, control and/or management)
- an overview of how each partner organisation will work with the lead organisation and any other partner organisations in the group to successfully deliver the grant activity.
- an outline of the relevant experience and/or expertise each partner organisation will bring to the group
- the roles/responsibilities of each partner organisation and the resources they will contribute (if any)
- details of a nominated management level contact officer at each partner organisation.

You must have a formal arrangement in place with all partner organisations in a consortia prior to execution of the agreement.

7.3 Timing of grant opportunity processes

You must submit your application between the published opening and closing dates. We cannot accept late applications unless extenuating circumstances apply.

The NIAA reserves the right not to accept a late application but may consider the degree of lateness and whether the cause was beyond the applicant's control, such as natural disasters, internet outages, etc. Requests to consider late applications must be lodged with the NIAA National Office within one business day of the closing date.

The NIAA aims to notify you of the outcome of your application within 90 days from submission. If you are successful, we expect you will be able to commence your grant opportunity within seven (7) days of the execution of a grant agreement.

7.4 Questions during the application process

If you have any questions during the application period please contact your [NIAA Regional Office](#). The NIAA will endeavour to respond to emailed questions within three working days. Answers to questions may also be posted on [GrantConnect](#).

The NIAA does not provide financial or legal advice to applicants or grantees. Applicants or grantees should seek their own independent professional advice on financial and legal matters, including compliance with any statutory obligations.

8. The grant selection process

8.1 Assessment of grant applications

We will only assess eligible applications. We will consider eligible applications through an open non-competitive grant process.

If your application is eligible, we will assess your application against the assessment criteria (see Section 6) on its merits, based on:

- how well it meets the criteria. Applications will be rated on whether they 'fully meet', 'partially meet' or 'do not meet' the assessment criteria.
- whether it provides value with relevant money.⁵ Value with relevant money in these GOGs refers to judgement based on whether the grant proposal represents an efficient, effective, economical and ethical use of public resources. Key considerations in determining value with relevant money include cost, the quality and purpose of the grant activity, intended outcomes, alignment with the grant opportunity and relevant experience of the applicant.

If you are an applicant who already receives IAS funding we may assess your application against the assessment criteria based on your previous performance, demonstrated capability to deliver the activity, and/or other information which has been made available to the NIAA.

As noted below in section 8.2, preference will be given to fund suitable First Nations organisations.

In addition to considering your responses to the assessment criteria and overall value with relevant money, the NIAA may also consider whether your organisation meets one of the 'First Nations organisation' categories when assessing your application. To give integrity to the preference process, the NIAA may request additional information to support this.

The NIAA may share your application with other organisations such as the Empowered Communities. For further information go to niaa.gov.au/indigenous-affairs/empowered-communities.

The NIAA may also give consideration to regional allocation.

8.2 Indigenous Preferencing Policy

The Australian Government is committed to increasing the proportion of services delivered by First Nations organisations. To deliver on this objective the NIAA may preference applications in the following order where there are two similarly ranked proposals⁶:

- First Nations organisation (at least 51% First Nations ownership and at least 51% First Nations control)
- Organisations with at least 50% First Nations ownership, control or management
- Any organisation, including non-Indigenous organisations, with a demonstrated commitment to increasing First Nations employment, supplier use and/or engagement.

Refer to the section '15. Glossary' for definitions of "ownership", "control" and "management".

The NIAA may gather information to determine the number of First Nations and non-Indigenous organisations funded through the IAS and the number and percentage of First Nations peoples employed in all funded organisations.

⁵ See glossary for an explanation of 'value with relevant money'.

⁶ Applications will be ranked as "Meets", "Partially meets" or "Does not meet" the criteria.

The NIAA may also gather information from grantees about the total value and number of contracts for goods and services that are provided by First Nations Enterprises (see '15. Glossary').

To support the integrity of the IAS preferencing policy, the NIAA may request further evidence of your organisation's Indigeneity.

8.3 Who will assess applications?

An expert panel of NIAA staff will assess each application on its merit before recommending them to the assessment committee, to determine which grant application should be awarded a grant.

The assessment committee will be made up of NIAA staff with relevant expertise including the applicable Regional Manager who may share your application with the Empowered Communities.

To ensure probity, NIAA staff who provide support in developing a proposal will not be involved in the assessment of the application.

We may ask external experts/advisors to inform the assessment process. Any expert/advisor, who is not a Commonwealth official, will be required to perform their duties in accordance with the CGRGs.

The assessment committee may seek additional information about you or your application. They may do this from within the Commonwealth, even if the sources are not nominated by you as referees. The assessment committee may also consider information about you or your application that is available through the normal course of business.

The NIAA will then put forward a recommendation to the Minister for Indigenous Australians, or their NIAA delegate, about whether to approve the proposed grant/s. The recommendation will be based on the merits of the application including consideration of the assessment, risk and value with relevant money; priority areas of need; and availability of funding.

8.4 Who will approve grants?

The Minister for Indigenous Australians or their NIAA delegate, as the decision-maker, approves grants, taking into account the recommendations of the NIAA and the availability of grant funds. In determining the decision maker for the activity, the NIAA will consider aspects such as the level of funding and risk involved.

The decision-maker's decision is final in all matters, including the:

- approval of the grant
- grant funding amount to be awarded
- terms and conditions of the grant agreement.

There is no appeal mechanism for decisions to approve or not approve a grant.

9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific terms and conditions attached to the grant.

9.1 Feedback on your application

If your application is unsuccessful, you may seek feedback on your application by contacting your [NIAA Regional Office](#).

You can submit a new application for the same grant (or a similar grant) in any future grant opportunities under the Trial. You should include new or additional information to address any weaknesses that may have prevented your previous application from being successful.

10. Successful grant applications

10.1 The grant agreement

If you are successful and you choose to accept a grant offer, you must enter into a legally binding grant agreement with the Commonwealth. This agreement may be through a letter of offer or standard grant agreement, or another form of agreement specified by the Commonwealth.

The type of grant agreement and its mandatory terms and conditions will depend on the size and complexity of your proposed grant opportunity, as well as the level of risk associated with the Trial.

The grant agreement will provide a detailed description of the funded job/s and specific terms and conditions, which may include:

- key performance indicators and performance reporting requirements
- financial reporting requirements
- a funding payment schedule
- mandatory requirements for Working with Children checks, Working with Vulnerable People checks
- mandatory requirements to comply with applicable work health and safety obligations including those provided under Commonwealth work health and safety legislation
- insurance requirements including compliance with the [Work Health and Safety Act 2011](#) to cover your obligations in relation to the grant funding to be delivered
- compliance with the Australian Privacy Principles as set out in Schedule 1 of the [Privacy Act 1988](#). Further information about privacy and confidentiality is also included in section 13 of this document
- requirements to maintain the confidentiality of any information deemed by the Commonwealth to be confidential
- requirements to participate in monitoring and evaluation processes
- record keeping requirements.

To give assurance to the preference to fund suitable First Nations organisations, your grant agreement may also contain conditions that your organisation must maintain a specified percentage of First Nations ownership, control, management or employment and be able to provide evidence of this, on request. You may also be required to notify the NIAA if you have a change in circumstances that means you no longer meet these conditions.

You will work with an Agreement Manager from the [NIAA Regional Office](#) or National Office to effectively manage the grant agreement.

The NIAA must execute a grant agreement with you before we can make any payments. There is no guarantee of funding until both parties have executed a grant agreement, and the NIAA is not responsible for any of your expenditure until a grant agreement is executed.

If you choose to start your grant opportunity before you have an executed grant agreement, you do so at your own risk (including incurring financial costs that may not be covered by the grant agreement).

If you receive any grant funding from other Commonwealth, state or territory government granting programs for the same project this may limit the amount of funding you might be entitled to under

the Trial, unless specifically agreed to in writing by the NIAA. You must provide information about other funding received for the NIAA's consideration.

If you fail to meet the obligations of the grant agreement, the NIAA may terminate the agreement. The NIAA or the Commonwealth may also recover grant funds if there is a breach of the grant agreement.

The grant agreement will incorporate appropriate safeguards against fraud and unlawful activities and includes the right for the NIAA to request the removal of personnel for other inappropriate conduct or associations that may cause reputational damage to the NIAA or Commonwealth.

10.2 Management of Debt and Underspend

A previous debt or underspend of an IAS grant may influence the outcome of an application, including an awarded grant amount. The NIAA reserves the right to recover underspends of one grant via offsets in another. Offsetting involves reducing future grant payments up to the amount of the underspend. If a debt has been incurred, the NIAA may seek return of those funds or pursue other remedies.

10.3 Negotiation of funded activities

Before a grant agreement is entered into, the NIAA will negotiate the scope of the activity and the terms and conditions with you. Relevant community stakeholders may also be involved in these negotiations to ensure the activity is tailored to meet local community or regional need.

If there are unreasonable delays in finalising a grant agreement, the grant offer may be withdrawn and the grant may be offered to a different applicant.

10.4 Execution of the grant agreement

You will have 30 days from the date of a written offer to execute the grant agreement with the Commonwealth or in accordance with other instructions provided by the NIAA in writing. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period.

10.5 Specific legislation, policies and industry standards

Whilst you are required to be compliant with all relevant laws and regulations, you will be requested to demonstrate compliance with the following legislation/policies/industry standards:

- *Fair Work Act 2009* (Cth)
- *Work Health and Safety Act 2011* (Cth)
- Superannuation Guarantee law
- *Workplace Gender Equality Act 2012* (Cth)
- *Competition and Consumer Act 2010* (Cth)
- *Archives Act 1983* (Cth)
- *Criminal Code Act 1995* (Cth)
- *Privacy Act 1988* (Cth)
- <https://www.fairwork.gov.au/about-us/legislation>
- [National Minimum Wage Orders](#)
- Read the [National Minimum Wage Order 2022](#) and refer to the below sections
 - 4. National minimum wage

- 4.1 The national minimum wage is \$812.60 per week, calculated on the basis of a week of 38 ordinary hours, or \$21.38 per hour.
- 8. Special national minimum wage 3 – for junior awards
- [Modern awards - Fair Work Ombudsman](#)
- [Fairwork - List of Awards](#)

To be eligible for a grant, you must declare in your application that you comply with these requirements. You will need to declare you can meet these requirements in your grant agreement with the Commonwealth.

10.6 How we pay the grant

Funding will be paid in accordance with the terms and conditions of the grant agreement.

The NIAA may make an initial payment of fifty per cent payable within 20 days of the execution of the grant agreement, or the Project Start Date, whichever is later, and a general payment of fifty per cent payable following receipt by the Commonwealth of a satisfactory Interim Performance Report.

Payment of funding is dependent on you complying with the grant agreement requirements, including satisfactory progress against performance and financial reporting milestones. You will also be required to report how you spent the grant funds during the period of the grant activity or at the completion of the grant activity.

The funding provided by the NIAA will not exceed the total funding amount set out in the grant agreement. If your expenditure exceeds the amount granted you must pay this additional expenditure yourself.

10.7 Grants payment and GST

Payments will be [Goods and Services Tax](#) (GST) inclusive unless you are not registered for GST or certain exceptions set out in the GST legislation apply. Subject to those exceptions, we will add GST to your grant payment and issue you with a [Recipient Created Tax Invoice](#).

Unless otherwise indicated by the NIAA, all figures quoted in grant documentation will be GST exclusive.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#).⁷ We do not provide advice on taxation matters.

10.8 Risk and compliance

In managing risk and compliance, the NIAA will work with you to achieve the intended outcomes of the grant opportunity. The risk management approach will focus management effort where risk levels are high, and supports consistent application of appropriate grant controls based on assessed risks.

The type of grant agreement and its terms and conditions will depend on the nature of the Trial and the level of risk involved at both the **organisation** and **activity** levels.

⁷ <https://www.ato.gov.au/>

- **Organisation** risk assessment. At the time a grant application is assessed, or an existing grant is considered for extension, an Organisation Risk Profile (ORP) is completed. The ORP is an evidence-based tool that assesses an organisation's governance, financial management and service delivery capability. The ORP enables consistent and transparent assessment by NIAA staff.
- **Activity** risk assessment. All IAS grant activities undergo an Activity Risk Assessment (ARA) to determine whether the grant activity risk is low, medium, high or extreme. This assessment takes into account the ORP rating, the annualised value of the grant activity and the nature of the activity. This approach enables the application of standard grant agreement requirements, controls and management approaches for low, medium, high or extreme risk grant activities, while also building in controls for any special requirements that apply, such as working with vulnerable people and work health and safety.

As a principle, higher risk activities will typically be subject to increased controls and greater oversight. The intent of this is to work with organisations to overcome risks. Conversely, low risk activities will be subject to less oversight and management.

The NIAA will work with you to achieve the intended outcomes of the activity. In circumstances of non-compliance with the grant agreement, the NIAA will consider an appropriate response under the grant agreement, including recovery of grant funds or termination of the agreement.

11. Announcement of grants

Once your grant is executed, it will be listed on the [GrantConnect](#) website within 21 calendar days after the grant execution date, as required by Section 5.3 of the [CGRGs](#).

12. How we monitor your grant activity

The NIAA uses a number of approaches to monitor IAS activities including:

- On-the-ground monitoring, predominately through the NIAA Regional Offices
 - The NIAA will use an active 'on-the-ground' strategy to monitor the Trial grantees and activities primarily through the NIAA Regional Offices. This can involve site visits, discussions with community members and service recipients, and ongoing contact with the grantees. A priority for the NIAA is active engagement to assist with early identification and treatment of activity delivery risks and other issues as they arise.
 - The NIAA may engage independent consultants to work with community organisations and communities to understand successes, learnings, and individual and community views of the Trial. The NIAA will regularly update the community on progress and seek views on what works.
- Periodic reporting by the provider on the performance of activities
 - The NIAA, in conjunction with the grant recipient, will set key performance indicators for each activity to measure progress against identified outcomes, including applicable CtG targets. The NIAA may include key performance indicators to inform broader data sets, such as First Nations employment data. These will be set out in the grant agreement. The grant recipient will be assessed against all key performance indicators over the course of the funded activity.
- Compliance operations, where necessary
 - We may visit you during or after the completion of your grant activity to review your compliance with the grant agreement. We may also inspect, copy or remove and retain

the records you are required to keep under the grant agreement. We will provide you with reasonable notice of any compliance visit.

12.1 Keeping us informed

You should let us know if anything is likely to affect your grant activity or organisation by contacting the NIAA's contact officer listed in your grant agreement.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your grant activity, carry on business and pay debts due.

You must also inform us of any of the following changes:

- name
- addresses
- nominated contact details
- bank account details
- ABN
- GST registration or status
- any instance where your organisation may no longer meet the definition of a First Nations organisation (if it initially did)
- if your organisation has an outstanding and overdue ATO debt.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately.

12.2 Reporting

You will be required to periodically report on the overall progress and performance of your activity, and against the key performance indicators in your grant agreement. The frequency and content of reporting requirements will depend on the funded activity and will be contained in the grant agreement. The NIAA will also source a range of data and information to inform its judgement. When completing performance reports, you are encouraged to be open about the status of the activity, any service delivery risks and issues, and to provide data to support any claims made. This instils confidence in your management reporting systems and allows us to better work with you to improve performance, if necessary.

Financial reports are required from grantees to provide evidence that funds have been expended for the purposes provided as agreed and so that any underspend or over spend can be managed. The annual value of the grant and the risk rating of the grantee and the activity determine the financial reporting requirements. The default financial reporting requirement is one report per year. Financial reporting requirements will be specified in the grant agreement.

12.3 Grant agreement variations

The NIAA recognises that unexpected events may affect your progress, or the project may not be achieving results that are consistent with the NIAA's priorities. In these circumstances, either the NIAA or you can request a variation to the grant agreement, including:

- changing key performance indicators or milestones
- extending the timeframe for completing the grant
- changing grant activities
- reducing funding.

If either the NIAA or you want to propose changes to the grant agreement, the instigating party must put its concerns, issues and proposed changes in writing before the grant agreement end date.

You should not assume that a variation request will be successful. The NIAA will consider your request based on factors such as:

- how it affects the grant activity outcome
- consistency with the program policy objectives and any relevant policies of the NIAA
- changes to the timing of grant payments
- availability of program funding
- value with relevant money.

All decisions to vary a grant agreement must be mutually agreed to between you and the NIAA before a variation is provided for the parties to execute. The variation to the grant agreement will come into effect once it is executed.

12.4 Record keeping

You must comply with the record keeping requirements as set out in the grant agreement.

12.5 Evaluation

We will evaluate the grant activity to investigate how well the outcomes and objectives have been achieved and to ensure the activity has achieved value with relevant money.

We may use information from your application and performance reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant affected you and to evaluate how effective your grant activity has been in achieving its outcomes.

We may engage an independent consultant to work with you and the community to understand successes, learnings and individual and community views of the trial. NIAA Regional Office staff will regularly update community on progress and seek views on what works.

Quality evaluation will help First Nations people, communities and government to see whether they are getting the results they expect; to determine to what extent solutions have involved local people in driving change; how projects or activities collectively produce or enable long-term impact; and assists government with future investment decisions.

12.6 Acknowledgement of funding

If you make a public statement about a grant activity funded under the program, we require you to acknowledge the grant by using the following: 'This grant activity received grant funding from the Australian Government.'

13. Probity

The NIAA will make sure the grant opportunity process is fair, is undertaken in accordance with these GOGs, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct, and is consistent with the CGRGs.

13.1 Enquiries and feedback

If you would like to make a complaint about the grant opportunity process phone (02) 6152 3050 or email complaints@niaa.gov.au

If you do not agree with the way the NIAA has handled your complaint, you may wish to contact the Commonwealth Ombudsman. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the NIAA.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072

Email: ombudsman@ombudsman.gov.au

Website: ombudsman.gov.au

13.2 Conflicts of interest

Conflicts of interest can affect the performance of the grant opportunity or program. There may be an actual conflict of interest, a perceived conflict of interest, or a potential conflict of interest, if the NIAA's staff, any member of a committee, panel or advisor and/or you or any of your personnel, including subcontractors and volunteers has, but not limited to a:

- professional, political, commercial or personal relationship with a party who is or is perceived to be able to influence the application selection process, such as an Australian Government officer or member of an external panel
- relationship with or interest in, an organisation or individual, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently and/or
- relationship with, or interest in, an organisation or individual from which they will receive personal gain because the organisation receives a grant under the grant program/grant opportunity.

You will be asked to declare, as part of your application, any actual, perceived or potential conflicts of interests or that, to the best of your knowledge, there is no conflict of interest. The NIAA will make the final decision on what is determined as an actual, potential or perceived conflict of interest.

If you later identify an actual conflict of interest, a perceived conflict of interest, or a potential conflict of interest, you must inform the NIAA in writing immediately and provide further information to the satisfaction of the NIAA.

Expert panel and assessment committee members and other officials including the decision maker must also declare any conflicts of interest.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian Public Service Code of Conduct (Sections 5) and (Section13(7)) of the *Public Service Act 1999* (Cth).

13.3 Privacy

We treat your personal information according to the [Privacy Act 1988](#) (Cth) and the [Australian Privacy Principles](#). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the [Privacy Act 1988](#) and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the NIAA would breach an Australian Privacy Principle as defined in the Act.

The [NIAA's Privacy Policy](#) contains information about how you can access the personal information held by the NIAA and seek correction of the information. It also explains how you can make a complaint about a breach of the Australian Privacy Principles. You can access the Privacy Policy on our website at niaa.gov.au or email privacy@niaa.gov.au for a copy of the policy.

13.4 Confidential information

We will treat the information you give us as sensitive and therefore confidential if:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- revealing the information would cause unreasonable harm to you or someone else.

The Australian Government may use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes giving information to the Australian Taxation Office and other government agencies for compliance purposes.

We may reveal personal and confidential information to:

- the expert panel and assessment committee members, which may include NIAA officers, community representatives and/or subject matter experts, and other Commonwealth employees and contractors to help us manage the program effectively
- employees and contractors of the NIAA so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- other Commonwealth, state, territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary
- a House or a Committee of the Australian Parliament.

We may share the information you give us with other Commonwealth agencies for any purposes including government administration, research or service delivery and according to Australian laws.

The grant agreement will include any specific requirements about special categories of information collected, created or held under the grant agreement.

13.5 Freedom of information

All documents in the possession of the Australian Government, including those about this grant opportunity, are subject to the [Freedom of Information Act 1982 \(Cth\)](#) (FOI Act) .

Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

All freedom of information requests must be referred to the Freedom of Information Coordinator in writing.

By mail: The Freedom of Information Coordinator
National Indigenous Australians Agency
PO Box 2191
CANBERRA ACT 2601

By email: foi@niaa.gov.au

14. Consultation

These GOGs draw on various feedback received from local reference groups on remote employment, community and sector representatives, previous public consultation processes and the NIAA's daily role in working with providers and First Nations people and communities across Australia.

The NIAA will continue to review these GOGs based on our experience in working with First Nations people and communities, as well as the experiences of our grantees. We will also seek advice from First Nations people, communities, and other stakeholders such as representative groups.

14.1 Partnership with Empowered Communities (EC) and Enhanced Income Management sites

The NIAA will engage with the Empowered Communities involved in the three trial sites that are also EC sites (Far West, SA, East Kimberley and NPY Lands, WA).

The NIAA may share your application with the Empowered Communities. For further information go to niaa.gov.au/indigenous-affairs/empowered-communities.

The NIAA will continue to engage with those CDP regions that fall in the Far West SA, Goldfields and East Kimberley WA Enhanced Income Management regions.

15. Glossary

Term	Definition
Agency	The National Indigenous Australians Agency (also referred to as NIAA).
Assessment criteria	Are the specified principles or standards, against which eligible applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings or ratings.
CDP participant	Is eligible to participate in CDP as a job seeker or volunteer and must have a current address in a CDP region. In general, people living in remote Australia who are looking for a job and receiving income support payments are eligible for CDP services. Those who are not on income support can volunteer to participate in CDP.
Commonwealth entity	An Agency of a State, or a Parliamentary Department or Agency, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the <i>Public Governance Performance and Accountability Act 2013</i> .
Commonwealth Grants Rules and Guidelines (CGRGs)	Establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.
Community organisation	An organisation that is (1) incorporated under relevant legislation (2) not-for-profit and (3) history of being connected to the targeted remote communities in which they deliver the services. Host organisations are also required to fulfil the definition of 'community organisation'.
Consultation Record	Refers to the information provided at the targeted and open information sessions in consultation with the NIAA Regional Office. It involves the whole community and records community job priorities, focussing on what is needed but not available.

Term	Definition
Consumable Building Materials	Items required for minor upgrades and repairs to existing buildings and community infrastructure. e.g. building materials such as timber, gyprock, new doors and paint, fencing materials for a new fence or fence repairs, and materials to make concrete, such as sand and cement. The Australian Government will only provide funding for small-scale repairs and maintenance of existing buildings and infrastructure. Out-of-scope activities include the repairs and maintenance of infrastructure that is generally the responsibility of other Australian Government departments or agencies, state, territory or local governments. For example the repair and maintenance of any Social Housing, and roads and other works on infrastructure that is the responsibility of a Local Council. Any activity repair or maintenance that requires the supervision or approval of the Local Building Regulator is out of scope. For example any new electrical or plumbing works.
Control	Control is related to the people in your organisation that have decision-making authority over strategic direction or governance. For most entities, this will mean your Board or Management Committee. Depending on the legal entity type, control may mean: ▪ Directors and Secretary—Company Limited by Shares, Company Limited by Guarantee, Cooperatives ▪ Management Committee and Public Officer— ORIC-Registered Indigenous Corporations, Incorporated Associations ▪ Proprietor/partner—Sole traders, actual person partnerships. Note: for trusts, the trustee will typically be one of the legal entities above.
<i>Corporations Act 2001</i>	An act of the Commonwealth that sets out the laws dealing with business entities in Australia at federal and interstate level. It focuses primarily on companies, although it also covers some laws relating to other entities such as partnerships and managed grant funding schemes. Incorporation can be applied for through the Australian Securities and Investment Commission website.

Term	Definition
<i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i>	The law that establishes the role of the Registrar of Aboriginal and Torres Strait Islander Corporations, now called the Registrar of Indigenous Corporations, and allows Indigenous Australian groups to form corporations. The Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act) replaced the <i>Aboriginal Councils and Associations Act 1976</i> (ACA Act). Under the CATSI Act, laws governing Indigenous corporations have been modernised while retaining special measures to meet the specific needs of Indigenous Australians. Incorporation can be applied for through the Office of the Registrar of Indigenous Corporations (ORIC) website .
Curated Support	Refers to support to prepare an application. This may involve discussing the GOGs and supporting documents and providing feedback on how applicants can submit the best application possible. Support to write an application is out of scope.
Decision maker	The person who makes a decision to award a grant.
Eligibility criteria	Refers to the mandatory criteria, which must be met to qualify for a grant.
Empowered Communities	A First Nations-designed and led initiative that involves First Nations leaders, communities and governments working in partnership to set priorities, improve services and apply funding effectively at a regional level. This increases First Nations ownership to give Indigenous peoples a greater say in decisions that affect them. For further information refer to niaa.gov.au/indigenous-affairs/empowered-communities .
Evaluation	Evaluation is the systematic measurement of the significance, merit and worth of policies and programs, undertaken to understand and improve decisions about investment. Evaluation involves the assessment of outcomes and operations of programs or policy compared to expectations in order to make improvements.
First Nations Enterprise	An entity with at least 50% Indigenous ownership, as outlined in the Indigenous Procurement Policy .
Grant	Is defined by CGRGs paragraph 2.3 as an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: (a) under which relevant money or other CRF money is to be paid to a grantee other than the Commonwealth; and (b) which is to help achieve one or more of the Australian Government policy outcomes while assisting the grantee to achieve its objectives.

Term	Definition
Grant activity	The project/tasks/services that the grantee is required to undertake with the grant money. It is described in the Grant Agreement.
Grant agreement	Sets out the relationship between the parties to the agreement, and specifies the details of the grant. A grant agreement comprises the Head Agreement, the Project Schedule and any documents attached or incorporated by references into either of those documents. The Head Agreement sets out the general terms and conditions that apply to all Jobs, Land & Economy funded projects for a particular grantee. The Project Schedule sets out specific terms and conditions that apply to particular projects.
GrantConnect	Is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.
Grantee (also 'grant recipient')	An individual/organisation that has been awarded a grant.
Grant Opportunity	Refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees.
Hire of Plant and Equipment	Refers to the hire of plant and equipment to be used by participants in their employment. This may include: ▪ hire of trucks, trailers, machinery, and other equipment such as generators, cement mixers, whipper snippers lawn mowers. It may also include equipment for landscaping, earth moving, and other mobile plant. ▪ consumable items associated with the equipment hire such as delivery (if necessary) insurance and fuel. The Australian Government will only provide funding for small-scale repairs and maintenance of existing buildings and infrastructure.

Term	Definition
Hire of Plant and Equipment cont.	Out-of-scope activities include the repairs and maintenance of infrastructure that is generally the responsibility of other Australian Government departments or agencies, state, territory or local governments. For example the repair and maintenance of any social housing, or roads and other works on infrastructure that is the responsibility of a Local Council. Any activity repair or maintenance that requires the supervision or approval of the Local Building Regulator is out of scope. For example any new electrical or plumbing works.
Host	An organisation other than the grant recipient or a Material Subcontractor that will deliver an activity specified in the GOGs.
Indigenous Organisation <i>(Note: This definition is used for administering the Incorporation Requirements only – Refer to Appendix 2)</i>	Aligns with the s29-5 of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 and Part 2 – Regulation 6 of the Corporations (Aboriginal and Torres Strait Islander) Regulations 2017 1. If the corporation has five (5) or more members—at least 51% of the members are First Nations people. 2. If the corporation has fewer than five (5) members but more than one (1) member—all of the members, or all but one of the members are First Nations people. 3. If the corporation has only one (1) member – that member is an First Nations person. Note that “member” is used as a term for ownership and may vary between entity types (e.g. “shareholder” for co-operatives). <u>and</u> Aligns with s246-5 of the Act—<u>a majority of the directors must be First Nations people.</u>
Key Performance Indicator	A measure that provides information about the extent to which the activities or services meet agreed performance requirements.
Management	Management refers to the responsibility for the day-to-day operation of the funded organisation. It includes: ▪ the CEO (or equivalent) ▪ the people occupying the highest positions in relation to: ▪ service delivery ▪ finances ▪ operations (e.g. property, ICT), and/or ▪ human resources.

Term	Definition
Owners	Depending on legal entity type, “Owners” may be based on your: ▪ Members—ORIC-Registered Indigenous Corporations, Companies Limited by Guarantee, Incorporated Associations ▪ Shareholders—Companies Limited by Shares, Cooperatives ▪ Proprietors/partners—Sole traders, actual person partnerships ▪ Beneficiaries—Trusts If you are a for-profit entity, ownership relates to those who draw a financial benefit from the entity (other than a salary/wage). For not-for-profits, “benefit” is a broader term that may include social/cultural benefits or maintaining an asset or rights (including native title).
Remote	The NIAA generally applies the Accessibility/Remoteness Index of Australia (ARIA)+ to define remote areas, except where otherwise indicated. ARIA is widely accepted as Australia's most authoritative geographic measure of remoteness. ARIA measures the remoteness of a populated locality by its physical distance by road to the nearest urban centre. The NIAA recognises there are some communities located within inner or outer regional areas that may be considered remote that fall outside the definition of remote explained above. These may be communities that have limited access to government services or standards of infrastructure.
Selection process	The method used to select potential grantees. This process will not involve comparative assessment of applications against other applications.

Term	Definition
Targeted remote communities	Means the following CDP regions: ▪ Goldfields/Kambalda/Norseman Region, WA (CDP region 2) ▪ Goldfields/Ngaanyatjarra Lands, WA (CDP region 3) ▪ Goldfields/Yaaliku Region, WA (CDP region 4) ▪ Mid-West - West Region, WA (CDP region 5) ▪ East Kimberley/East Kimberley Region, WA (CDP region 15) ▪ Eyre Region/Eyre Region, SA (CDP region 16) ▪ Ceduna and surrounds/Far West Region, SA (CDP region 17) ▪ Northern Territory/Town Camps and surrounds of Alice Springs (CDP regions 20, 21, 22, 23, 24, 25 and 27) ▪ Northern Territory/South East Barkly Region and North Barkly Region, NT (CDP regions 26 and 28) ▪ Palm Island/Palm Island Region, QLD (CDP region 50).
Value with relevant money	Value with relevant money in this document refers to a judgement based on the grant proposal represents an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations. When administering a grant opportunity, an official will consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to: ▪ the quality of the Trial proposed ▪ fitness for purpose of the proposal in contributing to government objectives ▪ that the absence of a grant is likely to prevent the grantee and government's outcomes being achieved, and ▪ the potential grantee's relevant experience, and performance history.

Appendix 1: IAS Program information

About the Indigenous Advancement Strategy

The Indigenous Advancement Strategy (IAS) is one way the Australian Government funds and delivers programs for First Nations people, to address the targets under the National Agreement on Closing the Gap. There are a number of grant opportunities under the IAS, including the grants process outlined in these guidelines.

The IAS contributes to the NIAA's Outcome 1: *Indigenous—Improve results for First Nations people, including in relation to school attendance, employment and community safety, through delivering services and programs, and through measures that recognise the special place that First Nations peoples hold in this nation.*

Under the IAS, grant opportunities are available under the following six programs:

- 1.1 Jobs, Land and Economy
- 1.2 Children and Schooling
- 1.3 Safety and Wellbeing
- 1.4 Culture and Capability
- 1.5 Remote Australia Strategies
- 1.6 Research and Evaluation.

Program 1.1 Jobs, Land and Economy

Program objectives

The objectives of the program are to:

- support First Nations people to find and remain in sustainable work
- support remote job seekers' work readiness, through community activities and work experience
- foster First Nations business
- assist First Nations people to generate economic and social benefit from natural and cultural assets, including through the effective and sustainable management of their land
- assist First Nations people to progress land and sea claims, and township leases under Commonwealth native title and land rights legislation.

Description

The Jobs, Land and Economy Program supports First Nations people to overcome barriers to employment and economic participation. It does this by connecting First Nations people with sustainable jobs; and ensuring remote job seekers participate in activities that provide both work-readiness experience and that contribute to the broader community. Another key support element is fostering First Nations business and assisting First Nations people to generate economic and social benefits from natural and cultural assets, through the effective management of First Nations-owned land and seas and by supporting First Nations people to have their native title rights recognised.

Program 1.1 complements a range of state, territory and Australian Government programs, which also aim to improve First Nations people employment outcomes, and to support the development of

First Nations businesses, entrepreneurial skills and community economic participation. It does this by addressing gaps between these activities and targeting additional investment where it can maximise employment opportunities and economic outcomes for First Nations people. The program may also provide funding for projects that address immediate need in community through small scale place based activities that align with IAS objectives.

Program 1.1 outcomes

The desired outcomes of the Jobs, Land and Economy Program include:

- increasing in employment and participation rates for First Nations people
- increasing the number of First Nations people participating in activities and work experience that build work-readiness and contribute to community
- increasing the proportion of school/tertiary students and graduates connecting to employment through pathway activities including, but not limited to, school based traineeships and cadetships
- increasing the number of First Nations participants who reach 26 weeks and/or longer outcomes in employment
- Increasing the number and viability of First Nations enterprises
- supporting Australian workplaces to increase their cultural competency and employment of First Nations people
- engaging local communities in employment solutions
- providing support for First Nations people in prison to transition into employment on their release from prison
- assisting First Nations people engaged in jobs to engage in jobs relating to land and sea management
- progressing land and sea claims and township leases under Commonwealth native title and land rights legislation
- supporting First Nations people to use their land and sea assets to create economic and social benefits.

Activities that contribute to program outcomes

Activities contributing to these outcomes that can be funded through the Jobs, Land and Economy Program include:

1. Economic Development

Support for First Nations entrepreneurs to establish or grow sustainable businesses.

Support for First Nations communities to build and promote increased social and economic outcomes.

Support for First Nations land owners to leverage economic benefits from their land assets, including support for Traditional Owners to make well-informed decisions about how they can use their land, economic development opportunities, and understanding land use processes.

Support for long-term tradable tenure, including land reform and land administration for First Nations land owners.

- supporting employment opportunities and career pathways for individuals in the Indigenous Land and Sea Management (ILSM) sector

- supporting skills and capacity within the ILSM sector, including through traineeships, mentoring and job-ready programs
- supporting employment opportunities for economic development and fee for service arrangements for Indigenous communities through the sustainable use of land and sea.

3. Community Development Program

The Community Development Program (CDP) is a community driven program that prepares job seekers for work while contributing to the goals of the community. Across remote Australia a network of CDP providers deliver a range of activities to respond to the specific needs of local communities and available employment opportunities, which may include:

- services to assist job seekers to increase their work-readiness, language, literacy and numeracy skills, and contribute to the community
- services to support and complement cultural business
- services that provide work—like activities that reflect local employment opportunities
- services to assist job seekers to overcome vocational and non-vocational barriers
- accredited and non-accredited training
- services that cater for different work readiness levels and interests
- support personal development or community awareness
- activities that include and cater for diversity within a caseload
- increased access to job opportunities and support job seekers to retain a job
- support job seekers to meet their income support mutual obligations.

The NIAA does not generally accept community-led grant applications under the CDP but may on occasion invite applications.

4. Recognition of Native Title and maximising economic and social benefit from the use of native title rights

Support the performance of statutory functions of native title representative bodies and service providers under the [Native Title Act 1993](#). Only native title representative bodies and organisations invited to apply for funding are able to apply.

Build the capacity of registered native title bodies corporate, more commonly known as Prescribed Bodies Corporate or 'PBCs', to maximise the economic and social potential of their native title.

Improve the governance and provide access to training to equip PBCs to build their long-term organisational capacity.

Further information on funding to support capacity building for PBCs is also available on [GrantConnect](#)

Out-of-scope

The types of activities that will not be funded through the Jobs Land and Economy Program include:

- activities and training that are not directly linked to employment or do not have a demonstrated aim to overcome barriers to employment

- training that is not connected to employment and/or employment positions that are not sustainable, or that is not needed to undertake a CDP activity
- activities and services that are the responsibility of states and territory governments or other Commonwealth programs, including:
 - adult vocational education and training (VET) activities (although assistance that complements the completion of such activities may be considered)
 - cultural heritage, land rights and land management activities subject to state or territory legislation
- funding full wages for employment project positions
- areas that are within the responsibility of state and territory governments such as land administration, for example survey and planning, which is not typically funded
- jobs already being funded through mainstream employment programs or other service providers
- businesses that are unviable and/or unsustainable.

Appendix 2: Incorporation requirements

Subject to certain exceptions, under the Strengthening Organisational Governance Policy all organisations receiving grant funding totalling \$500,000 (GST exclusive) or more in any single financial year from the NIAA are required to:

- incorporate under Commonwealth legislation—Indigenous organisations will be required to incorporate under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) and other organisations will be required to incorporate under the [Corporations Act 2001](#)
- maintain these arrangements while they continue to receive any IAS funding.

The incorporation requirements apply to grant funding under grant agreements or variations executed on or after 1 July 2014. Grants for capital works and funding sourced through procurement activities are not included in the calculation of applicable funding.

Statutory bodies, government bodies, and organisations operating under a specific piece of legislation are excluded from the requirements and do not have to apply for an exemption.

Indigenous organisations already incorporated under the [Corporations Act 2001](#) do not have to change their incorporation status. However, all other Indigenous organisations in scope of this policy must incorporate under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) so they can access the assistance and support available under the Act.

Organisations will need to comply with this requirement as part of their grant agreement. Non-compliance will constitute a breach and may result in the termination of the grant agreement.

Organisations will have a six-month transition period to comply with the incorporation requirement from the execution of the Grant Agreement or variation of an existing grant agreement. At the Commonwealth's discretion extended transition periods may be granted to organisations if the organisation has applied for an extension in writing and can provide evidence that they have made reasonable attempts during the six month period to transition, but are unable to meet this requirement in that time.

Organisations may apply for an exemption from the requirement to incorporate under the Strengthening Organisational Governance Policy. Applications for exemption must be submitted using the process outlined by the NIAA. Details about the exemptions policy and the Application for Exemption form can be found on the NIAA's website.

Exemptions will be considered where an organisation can demonstrate at least one of the following:

1. That grant funding received from the Indigenous Affairs Group within the NIAA is a small portion of its total revenue, and as such changing incorporation status may unfairly impose additional requirements on its operations and business model.
2. It is required to incorporate under specific non-Commonwealth legislation as part of its licensing arrangements or funding received through other sources.

Applications for exemption will be considered on a case-by-case basis, and will take into consideration information demonstrating that the organisation is well-governed, high-performing and low risk.

Applications for exemption from the requirements should be lodged through the Agreement Manager in the NIAA Regional Office. Applications should be lodged within the transition period, as soon as practicable once an offer of funding has been made. Organisations will be expected to comply with the requirements within the transition period should an exemption not be granted.

Support for First Nations organisations transferring to the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) is available through the Office of the Registrar of Indigenous Corporations (ORIC). This includes assistance in developing a rulebook, guidance on the process to transfer incorporation, and access to pro bono legal assistance through the LawHelp service.

Organisations required to transfer their incorporation from state and territory legislation to either the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) or the [Corporations Act 2001](#) may incur some additional, one-off costs for independent legal advice and accountancy services to support the transfer of incorporation. **To assist those organisations required to transfer their incorporation status, the NIAA will provide a one-off \$10,000 (GST exclusive) payment upon receipt of evidence that the transfer has occurred.**

Please refer to the [NIAA's website](#) at <https://www.niaa.gov.au/indigenous-affairs/grants-and-funding/incorporation-requirements> for further information.

Appendix 3: Application checklist

Before you submit an application, it is recommended the following checklist be used to ensure the application is complete and contains the information needed for the application and assessment process.

	You have registered interest with the local NIAA Regional Office to receive information on how to complete your application.
	The proposal has been discussed with the First Nations groups who will be involved in the project and with other groups with an interest in the project.
	Eligibility requirements set out in the Grant Opportunity Guidelines are met.
	Evidence can be provided to demonstrate incorporation and/or Indigeneity status where applicable.
	This document has been read and understood.
	IAS objectives and outcomes are understood and the proposed activity(s) contributes to the outcomes of the IAS.
	The assessment criteria are understood and met.
	When an application is submitted applicants must confirm that, if their application is successful, they will accept the terms of the grant agreement. If you are not able to accept the terms of the agreement, you should discuss this with the NIAA Regional Office before completing the application form.
	The name and contact details of two referees who can support the claims made in the application against the assessment criteria can be provided.
	If the applicant has a current NIAA grant agreement, have the Provider Reference Number ready. The 'Provider Reference Number' can be found on the grant agreement.
	Fill out and attach the Budget Template at Attachment A in this document.
	Attach details of funding from other sources that will contribute to the activity outlined in the application, including whether the funding has been approved.
	Attach details of any pending applications for funding, including the nature of the support.
	Attach details of key personnel in the applicant organisation, including the names and position titles of Director/s, Chief Executive Officer, Chief Financial Officer and Chief Operating Officer; an organisation chart; and, if applicable, a chart of associated entities showing all relationships between companies.
	If the applicant does not have a current grant agreement with the NIAA or previously with the Department of the Prime Minister and Cabinet, attach a copy of the applicant's most recent financial statements, income and expenditure statement, or a balance sheet; if relevant, a copy of their Certificate of Incorporation; and, if unable to quote an ABN, a copy of a completed ATO 'Statement by a supplier (reason for not quoting an ABN to an enterprise)' form.
	Attach evidence of support from the applicant organisation's board, CEO or equivalent, and the community/ies where the activity is proposed to be delivered.

	Evidence of bank account details, such as a copy of a current bank statement.
	Attach a risk management plan.
	The grant funding will be used to deliver services in one of the eligible locations listed in Section 5.2 of this document.
	If the applicant is an individual, you must be a permanent resident of Australia.
	The applicant must have rectified or be in the process of rectifying any issues of previous non-compliance with existing Commonwealth agreements, to the satisfaction of the Commonwealth.
	The applicant must be financially viable, to the satisfaction of the NIAA.

Completing the application form

	Ensure every section of the application form is completed.
	Complete the application form in English.
	Complete the 'Declaration' section of the application form. Ensure all fields are completed including the checkboxes. If completing the form online, instead of signing the document, the applicant, or person authorised to act on behalf of the applicant, should type their full name in the field.

Joint (consortia) applicants:

	Ensure the nominated lead organisation (the applicant) is a legal entity capable of entering into a grant agreement with the Commonwealth.
	Ensure the nominated lead organisation (the applicant) is a legal entity capable of entering into a grant agreement with the Commonwealth. Attach a letter of support from each consortia organisation. Ensure that each letter of support includes the information required as set out in section 7.2 of this document.

Non-government applicants who do not have a current grant agreement with NIAA

If you are a non-government applicant and do not have an existing grant agreement with NIAA you will need to attach the following supporting documentation:

	A copy of the applicants Certificate of Incorporation where relevant. Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement.
	If the applicant is not able to quote an ABN as required in the application form they will be required to provide a copy of a completed 'Statement by a supplier (reason for not quoting an ABN to an enterprise)' form that can be found on the ATO website.
	A copy of the applicant's most recent financial statements, income and expenditure statement, or a balance sheet.

Attachment A - New Jobs Program Trial – Budget template

The completion of this Budget template supports the New Jobs Program Trial grant opportunity application. Any questions can be directed to your nominated Regional Office contact. Frequently Asked Questions are available to support this process.

How will the Budget be assessed?

Applications for the New Jobs Program Trial will be subject to an open non-competitive funding round. The NIAA needs to ensure the funds reflects the intent of the Trial and value with relevant money.

Filling out the Budget template

For each financial year fill out the table included in the template, providing the main categories of funding.

This includes:

- Number of jobs
- Per job:
 - Name of the organisation where the job will be based, or host arrangement/s
 - Job title and key duties
 - Location of the job
 - Supervision arrangements
 - Nature of the job - full time employee (FTE), part time employee (PTE), or casual
 - Expected hours of work per week
 - Relevant Award, and rate per hour
 - Costs associated with superannuation, insurance, workers compensation and leave entitlements
 - HR and administrative running costs related to placing and maintaining a CDP participant into a job, reasonable training for a CDP participant to do the job, or CDP participant travel costs, and costs for implementing and monitoring participants in the job/s
 - office equipment or office supplies
 - hire of plant and equipment
 - consumable building materials
- Total amount (GST exclusive).

Attachment A - New Jobs Program Trial

Budget Template

No. Jobs	Name of Organisation	Job Title and key duties	Location	Supervision Y / N	FTE/PTE/ or Casual	Expected hours p/week	Relevant Award / rate per hour	Superannuation, insurance, workers comp and leave entitlement costs	HR, admin / Other costs, training, travel, implementing, monitoring, office equip/supplies	Costs associated with hire of plant and equipment and consumable building materials	Total Amount (ex GST)
<i>Example</i>											
<i>Job 1</i>											
<i>Job 2</i>											
<i>Job 3</i>											
										TOTAL FUNDING	

Appendix 4: NIAA Regional Office Consultation Record/s